

Name of Practice: EXTENSION OF CREP WATERING SYSTEMS
DCR Specifications for No. SL-7
Only implemented in conjunction with CREP CRSL-6

This document specifies terms and conditions for the Virginia Department of Conservation and Recreation's BMP Cost Share Program's support for extension of CREP watering systems best management practice, that are applicable to all contracts, entered into with respect to that practice.

A. Description and Purpose

This practice is designed to provide additional funding to Conservation Reserve Enhancement Program (CREP) projects to encourage full enrollment in all of Virginia's CREP areas. This practice must be planned, in conjunction with a new CREP CP-22 contract. This practice cannot be used with a CREP CP-21, CP-23 or CP-29.

After utilizing all available CREP cost-share funds, additional VACS cost-share funds may be authorized to extend the watering system installed with CREP funds, and to implement rotational grazing on those fields receiving watering facilities to increase forage cover through the proper grazing and forage management techniques that will allow a pasture to rest and re-grow its cover. The system receiving cost-share should reflect the least costly, most technically feasible, environmentally effective approach to resolve the existing water quality problem.

B. Policies and Specifications

1. Rotational grazing **must** be planned, installed and implemented in grazing units served by the CREP watering system and the extended watering system for which SL-7 funds were received. The existing CREP livestock exclusion must be maintained for life of this practice.
2. An applicant may not apply for or receive cost share funds for SL-6 and SL-7 practices both funded by the Virginia Agricultural Best Management Practices Cost Share Program on the same fields.
3. A written management plan, including a rotational grazing component and operations and maintenance plan must be prepared and followed in accordance with NRCS FOTG. Factors to be addressed should include water sources, environmental impact, soil fertility maintenance, access lanes, fencing needs, wetlands, minimum cover or grazing heights, carrying capacity of the land and rotational schedules.
4. Flash grazing (allowing livestock to graze the excluded riparian area) is not allowed as a management alternative during the lifespan of this practice.

5. To supply water, state cost-share and tax credit are authorized for:
 - i. Installing pipelines, watering facilities, hardened pads around watering facilities, storage facilities, cisterns, and troughs (portable or fixed). When additional water is needed in CREP fields, the FSA CREP waiver process should be considered before authorizing VACS cost-share.
 - ii. A water supply system can include a portable system to meet the management requirements necessary for systems operation rather than a large number of permanent water facilities.
6. Portable or temporary system components (fencing, etc.) cannot be utilized in other areas or moved from fields utilized in the system plan. The replacement costs of portable components which fail to function properly during the lifespan of the practice are considered maintenance expenses and are the responsibility of the participant.

A portable water supply system is any system or component (i.e. trough, pipe, etc.) that is:

- i. Commercially available or farmer constructed,
 - ii. Large enough to provide a timely and sufficient volume of water for the livestock to be contained in a specific area for which the system is designed,
 - iii. Capable of being maintained in a stable position and protected from any damage while the system or component is in use, and
 - iv. Capable of being moved in a timely manner from one location to another within the acreage for which the system is designed.
7. The primary water use of the components which were installed with state cost-share and tax credit must be for the purpose of providing water for livestock; however, incidental use is not prohibited. State cost-share and tax credit is not permitted for any electrical, structural, or plumbing supplies, including pipe, or associated construction costs for developing any incidental use. When an incidental use is anticipated, the District Board should consider the applicant's intent before approving the request. Incidental use will be documented in the applicant's file.
8. To facilitate rotational grazing systems, cost-share and tax credit are authorized for temporary or permanent interior fencing and fence chargers (electric or solar) used to electrify permanent or temporary fencing that is part of the grazing system.
9. Any installation of permanent fencing to bring previously unused fields or pastures into the grazing system is the responsibility of the participant, and cannot receive state cost-share or tax credit assistance. Permanent fencing

may be installed under this practice to divide existing pasture units only to better manage rotational grazing.

10. No state cost-share and tax credit is authorized under the practice for any installation that is:
 - i. PRIMARILY for wildlife, dry lot feeding, barn lots, or barns.
 - ii. To make it possible to graze crop residues, field borders, or temporary or supplemental pasture crops.
 - iii. For boundary fencing or water supply systems used to establish new pastures not currently in use.
 - iv. For the purpose of providing water for the farm or ranch headquarters.
11. This practice is subject to spot check by the Districts throughout the life of the practice and failure to comply may result in forfeiture of funds.
12. This practice is subject to NRCS Standards 528 Prescribed Grazing, 382 Fence, 512 Forage and Biomass Planting, 561 Heavy Use Area Protection, 575 Trails and Walkways, 578 Stream Crossing, 614 Watering Facility, 516 Livestock Pipeline, and 472 Access Control.
13. The system shall be maintained for the lifespan of the CREP contract or a minimum of 10 calendar years, whichever is greater. The lifespan begins on Jan. 1 of the calendar year following the year of certification of completion. By accepting payment for this practice the recipient agrees to maintain the practice for the specified lifespan. This practice is subject to spot check by the District throughout the lifespan of the practice and failure to comply may result in reimbursement of state cost-share funds and/or tax credits.

C. Rate(s)

1. The state cost-share payment will not exceed 75% of the total eligible cost. The maximum state payment for this practice is not to exceed \$50,000 per landowner per year.
2. As set forth by Virginia Code § 58.1-339.3 and §58.1-439.5, Virginia law currently provides a tax credit for implementation of certain BMP practices. The current tax credit rate, which is subject to change in accordance with the Code of Virginia, is 25% of the total eligible cost not to exceed \$17,500.00.
3. If a cooperator receives cost-share, only the cooperator's eligible out-of-pocket share of the project cost is used to determine the tax credit.

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and SWCD staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE . Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above, and/or Engineering Job Approval Authority (EJAA), for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

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